

MILMAN LABUDA LAW GROUP PLLC
3000 MARCUS AVENUE
SUITE 3W8
LAKE SUCCESS, NEW YORK 11042

TELEPHONE (516) 328-8899
FACSIMILE (516) 328-0082

Author: Jamie S. Felsen - Partner
Direct E-Mail Address: jamiefelsen@mllaborlaw.com
Direct Dial: (516) 303-1391

Via ECF

April 10, 2014

Hon. James Orenstein, U.S.M.J.
United States District Court Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Subi Mehmeti v. Jofaz Transportation, Inc.
12-CV-5880 (ILG)(JO)
MLLG File No. 237-2012

Dear Judge Orenstein:

This firm represents the Defendant, Jofaz Transportation, Inc. in the above-referenced matter.

Defendant respectfully requests an Order directing Plaintiff and his counsel to pay attorneys' fees Defendant has incurred as a result of its counsel having to appear for Court conferences on April 1, 2014 and April 10, 2014 that were adjourned solely because of violations of Court Orders by Plaintiff and his counsel.

Throughout this litigation, Plaintiff and his counsel have repeatedly caused Defendant to incur attorneys' fees by failing to comply with Court Orders. Enough is enough.

On August 8, 2013, Defendant filed a motion to compel discovery as a result of Plaintiff's failure to comply with the Court's Case Management and Scheduling Order after Defendant repeatedly contacted Plaintiff in an attempt to avoid motion practice. Defendant also sought fees associated with the motion. Defendant's motion to compel was granted, but Defendant voluntarily withdrew its motion for fees.

Plaintiff's counsel has appeared late for depositions and Court conferences causing Defendant to incur additional unnecessary legal fees and costs for interpreters and court reporters. Defendant did not seek relief from the Court.

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On March 26, 2014, the Court directed Plaintiff and his counsel to appear at a Court conference on April 1, 2014. I travelled to the courthouse from Long Island during the morning rush hour only to find out that Mr. Wotorson failed to inform Plaintiff that the Court directed him to attend the April 1 conference, resulting in the Court adjourning the conference. The Court adjourned the conference until April 7 and directed Plaintiff to appear with an interpreter that he must provide. During the morning of April 7, Mr. Wotorson informed me and then the Court that he would be unable to appear for the conference that day and failed to provide any explanation other than that he was out of town and unable to appear. The Court rescheduled the conference for April 10, 2014. However, on April 10, 2014, Plaintiff appeared at the conference without an interpreter requiring the Court, yet again, to adjourn the conference.¹ I spent more than three (3) hours traveling to and from the courthouse just to find out that that conference would be adjourned, yet again, as a result of Plaintiff's failure to comply with the Court's Order.

In total, I have spent 7.6 hours of time appearing for the April 1 and April 10 conferences, including travel time and time spent before the Court. My hourly rate is \$325, resulting in a total bill of \$2,470 to my client. Defendant respectfully requests that the Court direct Plaintiff and his counsel to pay the \$2,470 that Defendant has incurred as a result of violations of the Court's Orders by Plaintiff and his counsel.

Respectfully submitted,

MILMAN LABUDA LAW GROUP PLLC

/s/ Jamie S. Felsen

cc: Ambrose Wotorson, Esq. (via ECF)

¹ Mr. Wotorson's deposition was scheduled for today but was adjourned as a result of today's conference and because the Court previously stated that Plaintiff is entitled to be represented by an attorney at Mr. Wotorson's deposition.